

August 30, 2007

Interstate Power and Light Company
and ITC Midwest LLC

Joint Petition for Approval of Sale of Utility
Assets Pursuant to Section 7-102; Transfer
of Franchises, Licenses, Permits or Rights to
Own Pursuant to Section 7-203; Transfer of
Certificates of Convenience and Necessity
pursuant to Section 8- 406; Approval of the
Discontinuance of Service Pursuant to 8-508;
and the Granting of All Other Necessary and
Appropriate Relief.

07-0246

SERVED ELECTRONICALLY

NOTICE OF ADMINISTRATIVE LAW JUDGE'S RULING

TO ALL PARTIES OF INTEREST:

This matter comes before the Administrative Law Judge upon motion filed by Commission Staff to Quash the Notice of Deposition filed by the Petitioners and the Motion to Compel filed by the Joint Petitioners.

1.) Staff's Motion to Quash is granted, as the Joint Petitioners did not comply with Supreme Court Rule 203.

2.) The Joint Petitioners' Motion to Compel is granted, with respect to DRs 2.1(a), 3.1(b), 3.3 and 3.9(b). The ALJ notes that with regard to these data requests, the Joint Petitioners seek to determine the personal knowledge of the person answering those discovery requests, Mr. McNally. (See, Instruction (b)). Therefore, all that is required or necessary to answer these discovery requests is an answer that states what Mr. McNally knows with respect to the question posed. As such, these discovery requests are not unduly burdensome and the information sought is relevant. Because these requests seek to determine the knowledge of the person answering them, answering these requests should entail no research or legal opinions.

3.) As to the remaining data requests at issue, the ALJ notes that Staff provided answers to those questions and there is no indicia that Staff has more information than what was provided. However, any evidence that is not disclosed before trial cannot be entered into evidence at trial.

4.) The ALJ shall rule on Staff's Motion for Reconsideration and the Joint Petitioners' Motion to Strike the testimony of Jo-Carroll Energy Inc. at the trial on Tuesday, 9/4/07, unless the movants file reply briefs before 12:00 p.m. (noon) on August 31, 2007, or inform the ALJ via e-mail that they do not wish to file reply briefs. In such a situation, the ALJ shall issue rulings on these two motions on August 31, 2007.

Sincerely,

Elizabeth A. Rolando
Chief Clerk

EAR:ml
Administrative Law Judge Sainsot

cc: Accounting
Ms. Jones
Mr. Struck

Mr. McNally - Finance

Kent M. Ragsdale & Jennifer Moore
Attys. for Interstate Power and
Light Company
Alliant Energy Corporate Services, Inc.
200 First St., SE
PO Box 351
Cedar Rapids, IA 52406-0351 *
mailto:kentragsdale@alliant-energy.com
mailto:jennifermoore@alliantenergy.com

David Eley
Interstate Power and Light Company
228 Dancette Dr.
Rockton, IL 61072 *
mailto:daveeley@alliantenergy.com

Scot McClure, Regulatory Affairs
Interstate Power and Light Company
Alliant Energy
4902 N. Biltmore Ln.
PO Box 77007
Madison, WI 53707-1007 *
mailto:scotmcclure@alliantenergy.com

Christopher J. Townsend, Joseph E. Donovan
Christopher N. Skey & William A. Borders
Attys for ITC Midwest LLC
DLA Piper US LLP
203 N. LaSalle St., Ste. 1900
Chicago, IL 60601 *
mailto:christopher.townsend@dlapiper.com
mailto:joseph.donovan@dlapiper.com
mailto:christopher.skey@dlapiper.com
mailto:william.borders@dlapiper.com

Daniel J. Oginsky & Stephen J. Videto
Attys. for ITC Midwest LLC
ITC Holdings Corp.
39500 Orchard Hill Pl., Ste. 200
Novi, MI 48375 *
mailto:doginsky@itctransco.com
mailto:svideto@itctransco.com

William M. Shay
Atty. for Jo-Carroll Energy, Inc.
Atty. at Law
456 Fulton St., Ste. 203
Peoria, IL 61602 *
mailto:wmshay@wmshay.com

Michael W. Hastings, President
Jo-Carroll Energy, Inc.
793 U.S. Route 20 W.
PO Box 390
Elizabeth, IL 61028-0390 *
mailto:mhastings@jocarroll.com

Walter T. Woelfle & Dan L. Sanford
American Transmission Company LLC
and ATC Management Inc.
N 19 W23993 Ridgeview Pkwy. West
PO Box 47
Waukesha, WI 53188 *
mailto:wwoelfle@atcllc.com
mailto:dsanford@atcllc.com

Christopher W. Zibart
Atty. for Intervenor
Foley & Lardner LLP
321 N. Clark St., Ste. 2800
Chicago, IL 60610 *
mailto:czibart@foleylaw.com

Linda M. Buell
Office of General Counsel
Illinois Commerce Commission
527 E. Capitol Ave.
Springfield, IL 62701 *
mailto:lbuell@icc.illinois.gov

Ron Linkenback, Case Manager
Illinois Commerce Commission
527 E. Capitol Ave.
Springfield, IL 62701 *
mailto:rlinkenb@icc.illinois.gov